

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Thomas BIELESCH et al.

Title: DUCT FAN

Appl. No.: Unassigned

Filing Date: March 26, 2004

Examiner: Unassigned

Art Unit: Unassigned

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Mail Stop PATENT APPLICATION
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document, except as noted below, is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The USPTO has waived the requirement under 37 CFR 1.98(a)(2)(i) to submit copies of U.S. patents and U.S. patent application publications when citing and submitting an Information Disclosure Statements in a patent application filed after June 30, 2003 and in an international application that has entered the national stage under 37 USC §371 after June 30, 2003. Accordingly, copies of these types of documents are not being supplied in connection with this application. Reference is being made to Pre-OG Notice from Office of Patent Legal Administration dated July 25, 2003, *Information Disclosure Statements May Be Filed Without Copies of U.S. Patents and Published Applications in Patent Applications filed after June 30, 2003.*

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), within three (3) months of the filing date of the application.

RELEVANCE OF EACH DOCUMENT

Documents A2-A8 were cited as being relevant during the prosecution of the corresponding German application. A copy of the German Search Report is attached setting forth the portion of each document considered relevant by the examiner.

Documents A1 and A7 claim priority based on the same first filed application.

English translations of the foreign language documents are not readily available; however, the absence of such translations does not relieve the PTO from its duty to consider the submitted documents (37 CFR §1.98 and MPEP §609). English language abstracts are attached to Documents A6-A8.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to

Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date: March 26, 2004

By 

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Richard L. Schwaab
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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT Date Submitted: March 26, 2004 <i>(use as many sheets as necessary)</i>				Complete if Known		
				Application Number		Unassigned
				Filing Date		03/26/2004
				First Named Inventor		Thomas BIELESCH
				Group Art Unit		Unassigned
				Examiner Name		Unassigned
Sheet 1 of 1				Attorney Docket Number		016906-0303

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	A1	5,511,942		MEIER	04-30-1996	
	A2	5,816,781		BERCOT ET AL.	10-06-1998	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	A3	DE	853 934		SIEMENS AG	10-30-1952		
	A4	DE	1 111 332		SIEGWART	07-20-1961		
	A5	DE	26 07 984		PAPST MOTOREN KG	03-24-1977		
	A6	DE	35 31 555	C1	VSG VENTILATOREN SYSTEME GMBH	02-12-1987		Abs.
	A7	DE	44 38 182	A1	MICRONEL AG	05-11-1995		Abs.
	A8	DE	196 32 527	A1	LEITHNER	02-19-1998		Abs.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, PO Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450.

Deutsches Patent- und Markenamt

München, den 31.10.2003
 Telefon: (0 89) 2195 2111
 Anmelder/Inhaber: Behr GmbH & Co. KG

Ihr Zeichen: 02-B-213

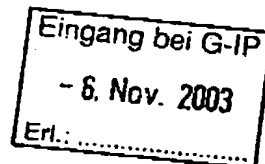
Ihr Antrag vom: 27.03.2003
 auf Recherche gemäß §43 Patentgesetz

Deutsches Patent- und Markenamt · 80297 München

Behr GmbH & Co. KG
 Intellectual Property, G-IP
 Mauserstr. 3
 70469 Stuttgart

Bitte Aktenzeichen und Anmelder/Inhaber bei
 allen Eingaben und Zahlungen angeben

Aktenzeichen: 103 13 991.5

**Recherchebericht****A. Klassifizierung des Anmeldungsgegenstandes nach der Internationalen Patentklassifikation (IPC)**

IPC 07

F 04 D 29/54

B. Recherchierte Gebiete

Klasse/Gruppe

F 04 D 29/54

Prüfer

ULRICH KURTH

Patentabteilung

15

F 04 D 19/00 F 04 D 29/40 F 04 D 29/54 F 04 D 29/58

Die Recherche im Deutschen Patent- und Markenamt stützt sich auf die Patentliteratur folgender Länder und Organisationen:

Deutschland (DE,DD), Österreich, Schweiz, Frankreich, Großbritannien, USA, Japan (Abstracts), vormalige UdSSR (Abstracts), Europäisches Patentamt, WIPO.

Klassen/Gruppen, die in Abschnitt A aufgeführt sind, jedoch in Abschnitt B nicht ausdrücklich erwähnt werden, wurden entweder durch eine IPC-übergreifende Datenbankrecherche erfasst oder dienen lediglich der Dokumentation und Information. In Klassen/Gruppen, die in Abschnitt B aufgeführt sind, jedoch nicht in Abschnitt A genannt sind, wurde mit dem im Abschnitt C angegebenen Ergebnis recherchiert.

C. Ergebnis der Druckschriftenermittlung

Kat.	Ermittelte Druckschriften		Erläuterungen	Betr. Ansprüche	IPC / Fundstellen
Y	DE	35 31 555 C1	Fig.1	7	F 04 D 29/58
X	DE	8 53 934 C	Fig.1,2	1-4	F 04 D 19/00
Y	DE	11 11 332 B	Fig.	5-7	F 04 D 19/00
Y	DE	196 32 527 A1	Fig.1	8-10	F 04 D 29/58
X	DE	44 38 182 A1	Anspr.1,8, Fig.1,3	1-4, 15	F 04 D 19/00
A, D	DE	26 07 984 A1			F 04 D 19/00
X	US	58 16 781	Fig.3,4	1-4, 15	F 04 D 19/00

D. Folgende Literatur und Zitate liegen dem Deutschen Patent- und Markenamt nicht vor:

Die Recherche kann sich auf den vom Anmelder/von der Anmelderin selbstgenannten Stand der Technik nicht erstrecken, der dem Deutschen Patent- und Markenamt nicht vorliegt. Wenn beabsichtigt ist, einen Prüfungsantrag nach § 44 PatG zu stellen, wird der Anmelder/die Anmelderin aufgefordert, diese Literatur in Kopie zur Prüfungsakte zu reichen.

Annahmestelle und
 Nachbriefkasten
 nur
 Zweibrückenstraße 12

Hauptgebäude:
 Zweibrückenstraße 12
 Zweibrückenstraße 5-7 (Breitthof)
 Marktentstehungen:
 Cincinnatistr. 84
 81534 München

Hausadresse (für Fracht):
 Deutsches Patent- und Markenamt
 Zweibrückenstraße 12
 80331 München

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S-Bahnanschluss im
 Münchner Verkehrs- u.
 Tarifverbund (MVV):

Zweibrückenstr. 12 (Hauptgebäude):
 Zweibrückenstr. 5-7 (Breitthof):
 S1 - S8 Haltestelle Isartor

Cincinnatistraße:
 S2 Haltestelle Pasargarten
 Bus 96/99 (ab S-Bahnhof Giesing) Haltestelle Cincinnatistraße

- 2 -

Aktenzeichen: 103 13 991.5

E. Datum des Abschlusses der Recherche

29.10.2003

Vollständigkeit der Ermittlung:

Eine Gewähr für die Vollständigkeit der Ermittlung der einschlägigen Druckschriften und für die Richtigkeit der angegebenen Kategorien wird nicht geleistet (§43 Abs. 7 Satz 1 Patentgesetz bzw. §7 Abs. 2 Gebrauchsmustergesetz i.V.m. §43 Abs. 7 Satz 1 Patentgesetz).

Absendedatum des Rechercheberichtes**Anlagen: 7**

Patentabteilung 1.11
Rechercheleitstelle

